

**MINUTES
STATE ELECTION BOARD
SPECIAL CALLED MEETING
2 Martin Luther King Jr. Dr. SE
18th Floor, West Tower
Room 1816
Atlanta, GA 30334
Friday, February 28, 2020 – 9:00 am**

Pursuant to O.C.G.A. § 50-14-1 *et seq.*, the State Election Board (“Board”) conducted its public meeting and hearings, with the minutes of such recorded as follows:

BOARD MEMBERS PRESENT:

Brad Raffensperger, Chairman
Rebecca Sullivan, Vice Chair
David Worley
Anh Le
Matthew Mashburn

STAFF PRESENT:

Ryan Germany, General Counsel
Chris Harvey, Director of Elections
Beth Young, Asst. Attorney General

I. CALL TO ORDER

Chairman Raffensperger called the State Election Board (“Board”) meeting to order at approximately 9:01 a.m. A quorum was established for each Board action with the following Board members in attendance: Chair Brad Raffensperger, Vice Chair Rebecca Sullivan, David Worley, Anh Le, and Matthew Mashburn. David Worley gave the invocation and Chairman Raffensperger led the pledge of allegiance to the U.S. flag.

II. APPROVAL OF BOARD MEETING MINUTES

Chairman Raffensperger called for the first order of business with regard to the approval of the minutes for the Board meeting and hearings held on January 22, 2020. David Worley made a motion to approve the minutes recorded and Matthew Mashburn seconded the motion. The motion passed unanimously with a Board vote of 5-0.

III. PUBLIC COMMENTS

Chairman Raffensperger called for the next order of business with regard to public comments. The Board received public comments from the following: Judy Pressley, Jeremy Adams, Dorothy Griffin, Betsy Grenevitch, Danielle McIntyre, Libby Seger, John Peterson, Gana Kukkala, Anne Greer, Marissa Hordos, Hermela Assefa, Mario Calcagno, Malcolm Green, Jacqueline Azah, Oluwaseyi Adenji, George Balbona, Adam Hinchliffe, Jeanne Dufort, Aileen Nakamura, Joy Wasson, Liz Throop, Safia Malin, Joseph Kirk, Garland Favarito, Saira Draper, Edgardo Cortes, Christine Price, Jonathan Grant, Sara Ghazal, Danny Housley, Elisa Goldklang, and Gaylon Tootle. Chairman Raffensperger called for any additional public comments and no such comments were made.

After public comments were received, David Worley made a motion to accept and submit written comments into public records. Vice Chair Sullivan seconded the motion. The motion passed with a Board vote of 5-0.

IV. PRESENTATION OF RULES PETITION

Chairman Raffensperger called the next order of business with regard to the presentation of the rules petitioned. Members of the Rules Petition group presented as follows:

Proposed Rule 1 – Protecting Ballot Secrecy

Co-petitioner Ronnie Martin presented Proposed Rule 1.

After presentation and discussion of Proposed Rule 1, David Worley made a motion to table Proposed Rule 1. Matthew Mashburn seconded the motion. The motion passed with a Board vote of 5-0.

Proposed Rule 2 – Permitting My Voter Page precinct voting

Co-petitioner Jeanne Dufort presented Proposed Rule 2.

After presentation and discussion of Proposed Rule 2, David Worley made a motion to reject Proposed Rule 2. Anh Le seconded the motion. The motion passed with a Board vote of 5-0.

Proposed Rule 3 – Mail ballot drop-off

Co-petitioner Jeanne Dufort presented Proposed Rule 3.

After presentation and discussion of proposed Rule 3, David Worley made a motion to table Proposed Rule 3. The motion failed due to lack of a second. Matthew Mashburn made a motion to reject Proposed Rule 3. Anh Le seconded the motion. The motion passed with a Board vote of 4-1. David Worley voted against the motion.

Proposed Rule 4 – Definition of a Vote

Co-petitioner Aileen Nakamura presented Proposed Rule 4.

After presentation and discussion of proposed Rule 4, Matthew Mashburn made a motion to reject Proposed Rule 4. Anh Le seconded the motion. The motion passed with a Board vote of 4-1. David Worley voted against the motion.

Proposed Rule 5 – Preservation of Memory Cards

Co-petitioner Liz Throop presented Proposed Rule 5.

After presentation and discussion of proposed Rule 5, Matthew Mashburn made a motion to reject Proposed Rule 5. Vice Chair Sullivan seconded the motion. The motion passed with a Board vote of 5-0.

Proposed Rule 6 – Method of Recounts

Co-petitioner Liz Throop presented Proposed Rule 6.

After presentation and discussion of proposed Rule 6, Matthew Mashburn made a motion to reject Proposed Rule 6. Vice Chair Sullivan seconded the motion. The motion passed with a Board vote of 5-0.

V. PRESENTATION AND CONSIDERATION OF STATE ELECTION BOARD PREVIOUSLY PROPOSED AMENDED RULES

Chairman Raffensperger introduced Ryan Germany, Secretary of State General Counsel, to present the previously proposed rules, which were posted for public comment, to the Board. Ryan Germany presented the rules to the Board, explained the recommended amendments, and asked the Board to adopt the amended rules that were previously posted as follows:

- 183-1-6.02(6) **Rules for Voter Registration by Private Entities**
- 183-1-6.02(7) **Rules for Voter Registration by Private Entities**

After the presentation of the above rules, Matthew Mashburn made a motion to approve and adopt the rules as previously posted. Vice Chair Sullivan seconded the motion. The motion carried with a Board vote of 5-0.

- 183-1-12-.04 **Storage, Maintenance, and Transport of Statewide Voting System Components**
- 183-1-12-.06 **Handling of Voting System**
- 183-1-12-.08 **Logic and Accuracy Testing**
- 183-1-12-.09 **Transport to Polls**
- 183-1-12-.10 **Before the Opening of the Polls**
- 183-1-12-.11 **Conducting Elections**
- 183-1-12-.12 **Tabulating Results**
- 183-1-12-.18 **Provisional Ballots**
- 183-1-12-.20 **Use of Emergency Paper Ballots When Voting Machines are Inaccessible**

After the presentation of the above previously proposed rules, which were posted for public comment, Matthew Mashburn made a motion to approve and adopt the rules. David Worley seconded the motion. The motion passed with a Board vote of 5-0.

- 183-1-12-.12(a)(8) **Tabulating Results**

David Worley presented the above previously proposed rule amendment, which was posted for public comment, and explained his recommendations to the Board. After his presentation, David Worley made a motion to adopt the amended rule. The motion failed due to lack of second. The rule amendment was not adopted.

- 183-1-13-.01 **Election Day Equipment Allocation**

After the presentation of the above rule, Matthew Mashburn made a motion to adopt the rule as published. Vice Chair Sullivan seconded the motion. The Board voted to *reject* the above rule by a vote of 5-0.

183-1-13-.02 Assistive Technology Devices

After the presentation of the above rule, David Worley made a motion to adopt the rule as previously posted. Vice Chair Sullivan seconded the motion. The motion carried with a Board vote of 5-0.

183-1-14-.02 Advanced Voting

183-1-14-.13 Prompt Notification of Absentee Ballot Rejection

After the presentation of the above previously proposed rules, which were posted for public comment, Matthew Mashburn made a motion to adopt the rules as previously posted. David Worley seconded the motion. The motion passed with a Board vote of 5-0.

183-1-15-.03 Optical Scan Recount Procedure

After the presentation of the above rule, Matthew Mashburn made a motion to adopt the previously proposed rule, which was posted for public comment. Vice Chair Sullivan seconded the motion. The motion passed with a Board vote of 5-0.

VI. PRESENTATION AND CONSIDERATION OF STATE ELECTION BOARD PROPOSED RULE

Mr. Germany presented further the below amendments to rules and asked the Board to consider reposting for public comments.

183-1-12-.18 Provisional Ballots

Matthew Mashburn made a motion to repost the above rule with amendments. Vice Chair Sullivan seconded the motion. The motion carried with a Board vote of 5-0.

183-1-14-.13 Prompt Notification of Absentee Ballot Rejection

Vice Chair Sullivan made a motion to repost the above rule with amendments. Matthew Mashburn seconded the motion. The motion carried with a Board vote of 5-0.

183-1-15-.02 Definition of Vote

Matthew Mashburn made a motion to repost the above rule with amendments. Vice Chair Sullivan seconded the motion. The motion carried with a Board vote of 4-1. David Worley voted against the motion.

183-1-15-.03 Recount Procedure

Matthew Mashburn made a motion to repost the above rule with amendments. Anh Le seconded the motion. The motion passed with a Board vote of 5-0.

VII.ADJOURNMENT

Chairman Raffensperger made a motion to adjourn the meeting. Vice Chair Sullivan seconded the motion. The motion passed unanimously with a Board vote of 5-0. The Board meeting and hearings concluded at approximately 12:25 p.m.

STATE ELECTION BOARD

APPROVED BY: Brad Raffensperger

DATE: April 15, 2020